

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORPORATION  
ANTITRUST LITIGATION

This Document Relates to:

*Burst.com, Inc. v. Microsoft Corp.*

Civil Action No. C-02-2952

MDL Docket No. 1332

Hon. J. Frederick Motz

**MOTION SEEKING LEAVE TO FILE UNDER SEAL**

Pursuant to the Amended Stipulated Protective Order Re Competitor Cases entered by the Court on October 31, 2002, Defendant Microsoft Corp. hereby seeks leave to file under seal Defendant Microsoft's Motion and Reply in Support of Its Motion to Compel Plaintiff to Provide a Full and Complete Response to Microsoft's Fourth Set of Interrogatories, Interrogatory No. 1 and Burst.com Inc.'s Opposition to the Motion, as each of those documents reference material designated as "Confidential" or "Highly Confidential" under the protective order.

Dated: January 22, 2004

MICROSOFT CORPORATION

By: John W. Treece (by MRS)  
John W. Treece  
SIDLEY AUSTIN BROWN & WOOD LLP  
Bank One Plaza  
10 South Dearborn Street  
Chicago, Illinois 60603  
(312) 853-7000

Of Counsel:  
Philip L. Graham, Jr.  
David B. Tulchin  
Marc De Leeuw  
SULLIVAN & CROMWELL  
125 Broad Street  
New York, NY 10004-2498  
(212) 558-4000

Thomas W. Burt  
Richard J. Wallis  
Steven J. Aeschbacher  
MICROSOFT CORPORATION  
One Microsoft Way  
Redmond, Washington 98052  
(425) 936-8080

Michael F. Brockmeyer  
PIPER RUDNICK LLP  
6225 Smith Avenue  
Baltimore, Maryland 21209-3600  
Telephone: (410) 580 4115

Karen A. Popp (D. Md. No. 26145)  
SIDLEY AUSTIN BROWN & WOOD LLP  
1501 K Street, N.W.  
Washington, D.C. 20005

Charles W. Douglas  
Richard A. Cederoth  
David M. Schiffman  
John W. Treece  
SIDLEY AUSTIN BROWN & WOOD LLP  
Bank One Plaza  
10 South Dearborn Street  
Chicago, Illinois 60603  
(312) 853-7000

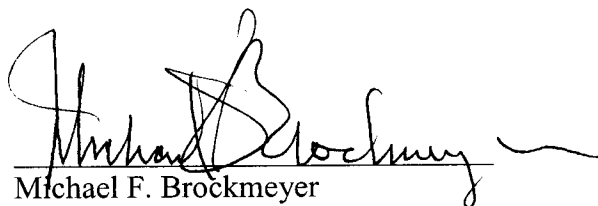
*Attorneys for Defendant Microsoft Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 26, 2004, I caused a copy of the attached Motion Seeking Leave to File Under Seal to be served upon the following by overnight courier:

Spencer Hosie, Esq.  
Hosie Frost Large & McArthur LLP  
One Market  
Spear Street Tower  
Ste. 2200  
San Francisco CA 94105

John B. Isbister, Esq.  
Tydings & Rosenberg LLP  
100 East Pratt Street, 26<sup>th</sup> Floor  
Baltimore, Maryland 21202

  
Michael F. Brockmeyer